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SUBJECT: BONDED LABORERS HELD HOSTAGE BY LANDOWNERS IN  
SINDH, PAKISTAN

11. (SBU) Summary. On October 4, a Pakistani NGO reported to Embassy Islamabad that over 150 peasants and their family members in rural Sindh had disappeared after filing illegal confinement and non-payment wage petitions with local courts.

There was strong evidence that the peasants' employers -- wealthy landowners who provided them with work and housing -- had kidnapped the missing individuals and shifted them to Islamabad and Consulate Karachi pressed federal, provincial, and district-level authorities to secure their release. The case received extensive media coverage and led to protests by civil society organizations. By November 18, thanks to the efforts of the police and to ransom payments made by some of the victims' families, all of the individuals had been freed.

On November 10, Embassy and Karachi Consulate officers met with police officials and NGO representatives in Hyderabad, Sindh to gain a better understanding of the details of the case as well as the complexities of the informal labor market in Pakistan. That meeting revealed the limitations of law enforcement authorities and the judicial system in combating bonded labor, as well as some of the short and long-term changes necessary to address this issue effectively in Pakistan. End Summary.

12. (SBU) On October 4, Ghulam Hyder of the Sindh-based NGO Green Rural Development Organization informed the Embassy about four cases in which landowners were allegedly holding over 150 peasants and their family members against their will in the Mirpurkhas area of Sindh Province. We subsequently confirmed the key facts through media reports, court documents, and detailed interviews with family members and NGO legal staff representing the laborers and their families.

The Ambassador raised the issue with Interior Minister Malik, while the Karachi Consul General brought it to the attention of Sindh Home Secretary Arif Ahmed Khan and PolOff met with Secretary of Labor Syed Nayyar and Federal Investigation Agency (FIA) Director General Tariq Khosa. The Pakistanis followed up by promptly contacting Mirpurkhas Police Deputy Inspector General (DIG) Amir Shaikh with an order to take action. Simultaneously, NGOs staged protests about the case and media coverage elevated it to the national and international level.

13. (SBU) Mirpurkhas Police DIG Amir Shaikh and Senior Superintendent/Deputy Police Officer (DPO) Munir Ahmed Shaikh took the lead in coordinating action on the case and provided continuous updates to the Embassy. (Note: Amir Shaikh did graduate work in Britain on honor killings in Pakistan and Munir Ahmed Shaikh was a 2007 Humphrey Fellow who did work on victim restorative justice.) The police, through

negotiations with landowners and several raids, were able to track down and secure the release of all the laborers and their families. Some families paid landowners to obtain their relatives' release -- an average of \$1,000 per person. District Sanghar Superintendent of Police Asfhaq Khan risked his position in negotiating with landowner Khuda Bux Dars. Dars, a local mayor, had sold two laborers (sons of the man who filed the police complaint) to another landowner and Sanghar police feared Dars would harm or even kill them. As the DIG pointed out, influential landowners like Dars also often have police transferred who take action against them. Superintendent Khan was able to negotiate the laborers' safe release with support of other district police superintendents.

14. (SBU) On November 10, Embassy and Consulate PolOffs traveled to Hyderabad, Sindh for meetings with police and two NGOs, the Society for the Protection of the Rights of the Child (SPARC), and the Sindh Hari ("Peasant") Council. SPARC is a nation-wide NGO that, among other activities, conducted an International Labour Organisation (ILO)-funded police sensitization training on victim identification and bonded labor issues in Hyderabad. SPARC is also working with the ILO and parliamentarians to draft bonded labor legal reforms. SPARC's Hyderabad-based lawyer screens and assists local laborers in petitioning directly to the courts for release from their bonded situations. They report that to date during 2009, they have handled 28 cases and have secured the release of 403 laborers, a majority of whom are low-caste Hindus. After release, SPARC helps the individuals obtain National Identity Cards to facilitate future legitimate employment.

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(Note: Due to limited skill sets and little if any education, such peasants typically continue working in the agricultural sector.) The Sindh Hari Council takes a different approach by organizing worker committees and attempting to negotiate directly with landowners for improved working and living conditions. They report success, especially among landowners who are affiliated with opposition, as opposed to ruling, political parties (and thus who have less political clout in defending their own illegal use of bonded labor).

15. (SBU) DIG Amir Shaikh, DPO Munir Shaikh, and other DPOs encouraged PolOffs to meet with a broad range of NGOs (noting that many are not credible), judiciary officials, and bonded labor victims themselves. The police agreed that increasing the sensitivity of the police and judiciary in these cases is essential, but said that NGOs also need to be sensitized to police limitations and challenges. They also revealed that with respect to the 150 freed peasants and their families, two charges have been filed against landlord Zubair Sehto (for kidnapping and illegal confinement). In a detailed presentation, DPO Munir Shaikh described the process of freeing bonded laborers. He explained that even when the courts mandate that the police secure the release of bonded laborers, a follow-on case must be filed with the police for them to initiate an investigation of the landowner. Police attributed low prosecution rates to several factors: lack of witnesses, lengthy court delays (three to four years for simple case processing), and gaps in the legislative framework. One landlord and one NGO representative were also present at the police briefing. They conceded that some landlords are abusive -- perhaps three to four percent -- but that there is general cultural acceptance of bonded labor practices by the employees as well as the employers.

16. (SBU) Comment: The case of the missing 150 bonded laborers and their families, and meetings with the stakeholders revealed the myriad of needs in tackling bonded labor in Pakistan. In addition to legal reforms to make current laws more functional and efficient, the local courts require resources to reduce case processing times. Police officials also explained that there is a dire need for victim identification and treatment training for their officers,

and, at the same time, there is also great need for resources to transport laborers, and provide them shelter and trauma counseling. (Note: Police often have to hold bonded labor victims, including women and children, one night in jail before presenting them to the courts the next day. In the case of women, this is culturally unacceptable, not to mention that police do not have the facilities or food to provide to the people.)

17. (SBU) Comment Continued: Given the fact that the Government of Pakistan and its law enforcement agencies are extremely resource-strapped and are obligated to spend an ever increasing portion of their budget on anti-terrorism activities. Thus in some cases, needs required to tackle the bonded labor practice can only be met with donor and NGO support, and more coordinated interventions. For example, while the ILO and NGOs are working to draft legal reforms, Sindh District police officials were unaware of this and expressed a desire to be involved in the process. Creative collaboration between the NGO sector and police could help meet other needs too. Some shelters exist and there are legitimate NGOs that demonstrate a true dedication to help bonded labor victims. First, however, the trust deficit between NGO and police must be addressed. More dialogue is needed between the two parties to generate a more realistic understanding of each side's limitations and to strategize on collaboration. The Embassy and Consulate Karachi are exploring ways to address these needs via existing Department grants, the International Visitors Leadership Program, the Embassy Speaker program, and through facilitating dialogue among the stakeholders. End Comment.  
PATTERSON